

**REMARKS**

Claims 2-8, 10, 15-20, and 22-26 are pending in the present application. Claims 2-8, 10, 15-20 and 22-26 have been amended. Claims 1, 9, 11-14, and 21 are canceled. Claims 2, 8, 15, and 22 are independent claims.

**Allowable Subject Matter**

Applicants appreciatively acknowledge the Examiner's indication that claims 3, 8, 15, and 22 would be allowable if rewritten in independent form. Although not conceding the appropriateness of the Examiner's rejections, claims 3, 8, 15, and 22 have been rewritten in independent form. Thus, these claims are now in condition for allowance.

**Rejections Under 35 U.S.C. § 103**

Claims 1, 2, 4, 6, 7, 9-14, 16, and 18-21, 23, 25, and 26<sup>1</sup> stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,424,940 to Agassy et al. (hereafter "Agassy") in view of Applicant's admitted prior art.

In an effort to expedite prosecution, Applicants have canceled claims 1, 9, 11-14, and 21 above. Thus, this rejection is rendered moot insofar as it pertains to these claims. The

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<sup>1</sup> The Examiner does not explicitly identify independent claim 21 in this rejection. Also, the Examiner fails to include claims 23, 25, and 26 in the claims listed on page 2 of the Office Action as being under this rejection. However, Applicants presume that the Examiner intended to include claims 21, 23, 25, and 26 in this rejection based on the statement in page 5 of the Office Action indicating that claims 23, 25, and 26 (which are dependent on claim 21) are rejected for the same reasons as claims 1, 2, 4, 6, and 7.

cancellation of these claims neither a concession as to the validity of this rejection, nor a disclaimer to the subject matter contained in these claims.

In the Office Action, the Examiner indicated that claims 3, 15, and 22 contain allowable subject matter. Claim 3 has been rewritten in independent form, and claims 2, 4, 6, and 7 have been amended to depend on claim 3. Similarly, claim 15 has been rewritten in independent form, and claims 16, and 18-20 have been amended to depend on claim 15. Also, claim 22 has been rewritten in independent form, and claims 23, 25, and 26 have been amended to depend on claim 22.

As such, claims 2, 4, 6, 7, 16, 18-20, 23, 25, and 26 are now allowable at least by virtue of their dependency on allowable claims. Applicants respectfully submit that such amendments have been made in an effort to expedite prosecution, not as a concession to the validity of the Examiner's rejection.

Claims 5, 17, and 24 stand rejected under § 103(a) as being unpatentable over Agassy in view of U.S. Patent No. 5,913,189 to Lee et al.

Claims 5, 17, and 24 have been amended to depend on claims 3, 15, and 21, respectively. As such, Applicants submit that claims 5, 17, and 24 are allowable at least by virtue of their dependency on allowable claims. Applicants submit that such amendments have been made in an effort to expedite prosecution, not as a concession to the validity of the Examiner's rejection.

Accordingly, withdrawal of these rejection is respectfully requested.

Conclusion

Entry of this Amendment After Final is respectfully requested in that it raises no new issues requiring further search and/or consideration. Instead, the claim amendments eliminates all outstanding matters in the present application by placing the claims in condition for allowance.

However, should the Examiner believe that there are any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason Rhodes (Reg. No. 47, 305) at the telephone number of the undersigned to discuss the application.

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Respectfully submitted,

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